

## Message Text

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ACTION ARA-20

INFO OCT-01 ADP-00 CIAE-00 PM-07 H-03 INR-10 L-03 NSAE-00

NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12 AID-20 PC-15

RSR-01 /122 W

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P R 162355Z JUL 73

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 4914

INFO: RULPALJ/USCINCSO

DOD/DIA

C O N F I D E N T I A L SANTIAGO 3150

E.O. 11652: GDS

TAGS: CI, PINT, PINS, MILI

SUBJ: FACH CINC RUIZ COMMENTS ON CURRENT SCENE

USCINCSO FOR POLAD

REF: SANTIAGO 3090

1. SUMMARY. DURING SUNDAY EVENING TALK SHOW APPEARANCE FACH CINC RUIZ AIDED PANELISTS TO CAST DOUBT ON VARIOUS OFFICIAL GOVT STATEMENTS, REVEALED HE HAD NOT PREVIOUSLY SEEN MINISTRY OF DEFENSE DECLARATION WHICH CARRIED HIS NAME, STRONGLY REBUKED CONCEPTS THAT WORKERS' HAVE RIGHT TO ARM AND THAT MILITARY MEN HAVE OBLIGATION TO DISOBEY OFFICERS IN CERTAIN CIRCUMSTANCES, AND DENIED ALLEGATION THAT U.S. EXERCISING PRESSURE ON CHILE NOT TO BUY MIG-21S. RUIZ ALSO REAFFIRMED MILITARY'S ADHERENCE TO CONSTITUTIONALITY AND SAID IT UP TO OTHER INSTITUTIONS OF GOVT TO DECIDE "WHEN AND HOW- MILITARY SHOULD ACT IN CASES OF UNCONSTITUTIONAL BEHAVIOR. END SUMMARY.

2. ON LATE NIGHT SUNDAY EVENING TALK SHOW, A ESTA HORA SE IMPROVISA, JULY 15, FACH CINC CESAR RUIZ DANYAU RAISED EYEBROWS BY STATING THAT HE HAD NOT PREVIOUSLY SEEN DECLARATION RELEASED BY GOVERNMENT OVER NAMES OF MINDEFENSE AND THREE  
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CINC'S DURING WEEKEND, CONCERNING GOVT'S LEGISLATIVE INITIATIVE

OF PREVIOUS WEEK TO GRANT SPECIAL BONUS (REAJUSTE) TO ARMED FORCES (REFTEL). RUIZ BASICALLY AGREED WITH MOST POINTS IN GOVT DECLARATION BUT STATED NEITHER HE NOR OTHER CINCS COMPETENT TO JUDGE CONSTITUTIONALITY INTRODUCTION SUCH LEGISLATION AS ADDITIVE VETO TO ANOTHER, UNRELATED BILL.

3. RUIZ' REMARKS SERVED AS SPRINGBOARD FOR OPPOSITION PANELISTS TO LAMBAST GOVT FOR TRYING TO INVOLVE ARMED FORCES IN ITS POLITICAL MANEUVERS AND FOR ISSUING STATEMENTS AT ODDS WITH MILITARY COMMENTS. PARTICULARLY MENTIONED WERE VARYING NAVY AND GOVT DECLARATIONS ABOUT THE ARMS RAID ON THE VALPARAISO DINAC WAREHOUSE, AND DIFFERENCES IN ARMY AND GOVT STATEMENTS ON PRATS' LADY DRIVER INCIDENT. WHEN ASKED ABOUT GOVT'S FTUG. INTERIOR UNDERSEC VERGARA'S) CLAIM THAT NO ARMS HAD BEEN FOUND DURING FACH SANTIAGO CEMETERY RAID, RUIZ STATED THAT INCIDENT STILL IN SECRET "SUMARIO" INVESTIGATION AND IMPLIED, THEREFORE, THAT ANY STATEMENTS MADE CONCERNING IT COULD NOT BE CONSIDERED OFFICIAL OR COMPLETE.

4. WHEN ASKED BY EXTREME-LEFT PANELIST WHETHER FACH CONTEMPLATING A GOLPE, RUIZ RESPONDED THAT POSITION OF MILITARY CLEARLY KNOWN AND STATED: THAT IS, ARMED FORCES NOT POLITICAL PARTICIPANTS (DELIBERANTES), THAT THEY RESPECT CONSTITUTION, AND THAT CINCS HAVE EXPRESSED TO PRESIDENT THEIR "RESPECT FOR THE LEGALLY CONSTITUTED REGIME AND FOR PRESIDENTIAL PREROGATIVES." LATER IN THE EVENING RUIZ RESPONDED TO SIMILAR QUESTION BY STATING ARMED FORCES OBLIGED BY LAW TO PROTECT INSTITUTIONAL LIFE OF COUNTRY AGAINST ALL INTERIOR OR EXTERIOR THREATS, BUT THAT REGULATIONS UNCLEAR AS TO "WHEN AND HOW" ARMED FORCES SHOULD ACT IN FACE OF DANGER AND THAT RESPONSIBILITY FOR DETERMINING THIS LIES WITH "OTHER ORGANIZATIONS, OTHER ORGANISMS, OTHER POWERS OF THE STATE."

5. RUIZ DUCKED QUESTIONS ABOUT POSSIBLE FACH ARMS PURCHASES. HOWEVER, HE SPECIFICALLY DENIED ALLEGATION THAT U.S. PRESSURING CHILE NOT RPT NOT TO BUY MIGS.

6. WHEN QUESTIONED ABOUT ROLE OF GEN BACHELET, RUIZ CONFIRMED THAT ABOUT TWO AND HALF MONTHS AGO BACHELET AND OTHER MILITARY MEN INVOLVED IN DISTRIBUTION OF ESSENTIAL CONSUMER GOODS WERE CONFIDENTIAL

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ABOUT TO RESIGN, BUT THAT "THE PRESIDENTIAL DECISION (PRESUMABLY TO ACCEPT RESIGNATIONS) HAS BEEN POSTPONED." RUIZ ALSO STATED THAT DISTRIBUTION ONLY SMALL PART OF ECONOMIC PROBLEM AND THAT PIECEMEAL APPROACH NOT EFFECTIVE.

7. RUIZ STRONGLY REBUKED PANELIST'S CONTENTION THAT WORKERS HAVE RIGHT TO ARM THEMSELVES TO PROTECT AGAINST A MASSACRE AND ALSO CRITICIZED ALTAMIRANO'S AND MIR'S STATEMENTS TO EFFECT THAT

SOLDIERS HAVE OBLIGATION TO DISOBEY OFFIERS WHO TRY TO LEAD THEM INTO COUPS. RUIZ ARGUED THAT GRANTING SOLDIERS THE POWER TO JUDGE THE CONSTITUTIONALITY OF ANY GIVEN ORDER "WOULD LEAD US TO CHAOS WHICH IS IMPERMISSIBLE IN AN INSTITUION OF NATIONAL DEFENSE."

8. COMMENT. RUIZ GENERALLY HANDLED HIMSELF WELL AND EVEN HIS COMMENTS, AS OPPOSED TO THOSE OF THE OTHER PANELISTS, CONCERNING CERTAIN GOVT STATEMENTS WERE LOW KEYED. MOST NOTEWORTHY, HOWEVER, WERE HIS THOUGHTS TO EFFECT THAT OTHER POWERS OF STATE (READ CONGRESS, JUDICIARY, CONTROLLER GENERAL) MUST BE RESPONSIBLE FOR TRIGGERING ANY ARMED FORCES ACTION IN DEFENSE OF CONSTITUTIONALITY.  
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## Message Attributes

**Automatic Decaptioning:** X  
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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Copy:** SINGLE  
**Draft Date:** 16 JUL 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Review Action:** RELEASED, APPROVED  
**Review Authority:** garlanwa  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 16 JAN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <16-Jan-2002 by kelleyw0>; APPROVED <11 FEB 2002 by garlanwa>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** FACH CINC RUIZ COMMENTS ON CURRENT SCENE USCINCSO FOR POLAD  
**TAGS:** PINT, PINS, MILI, CI  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005